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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Docket No.: **Q77131**

Daikichi FUKUSHIMA et al

Conf. No.: **3399**

Appln. No.: **10/657,103**

Group Art Unit: **1647**

Filed: **September 9, 2003**

Examiner: **Bunner, B.**

For: **NOVEL POLYPEPTIDES, CDNA ENCODING
THE SAME, AND USE OF THEM**

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

Drew Hissong
Registration No. 44,765

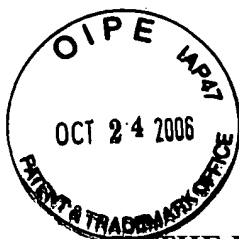
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 24, 2006



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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents, along with a Communication (indicating the degree of relevance found by the foreign patent office) dated August 14, 2006, is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action or Notice of Allowance. Therefore, Applicants are filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

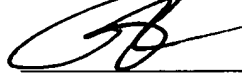
The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No. 10/657,103

waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The U.S. Patent Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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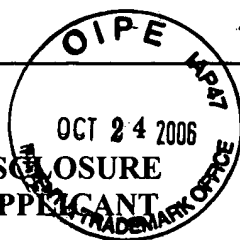
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Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

*Complete if Known*

Application Number	10/657,103
Confirmation Number	3399
Filing Date	September 9, 2003
First Named Inventor	Daikichi FUKUSHIMA et al
Art Unit	1647
Examiner Name	Bunner, B.
Attorney Docket Number	Q77131

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	99/18126		04/15/1999	Ono Pharmaceutical Co., Ltd. et al	Search Rep
		WO	00/12708		03/09/2000	Genentech, Inc. et al	
		WO	00/09709		02/24/2000	Incyte Pharmaceuticals, Inc. et al	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Catasus et al, <i>J. of Biological Chemistry</i> , 270(12):6651-6657 (1995)	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.